REMARKS

Reconsideration and withdrawal of the rejections set forth in the Office Action dated March 27, 2003, are respectfully requested for the reasons set forth below. Claims 1 and 21-31 are currently pending in this application.

Provisional Double Patenting Rejection

The claims were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over the claims of copending application number 08/798,704. Applicant respectfully traverses. However, Applicant will address this issue at a future date when either the claims of the present application and/or the claims of the '704 application are determined to be patentable.

Rejections under 35 U.S.C. 103(a)

Claims 1 and 21-31 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bartholomew et al. (U.S. Patent No. 4,939,509) and further in view of Adams et al. (U.S. Patent No. 5,913,920).

The Cited Art

Bartholomew et al. (hereafter Bartholomew) teaches an arrangement for data conferencing either multiple computers, or multiple terminals with a computer, includes software for communicating keystrokes from conference participants to an application program that is the object of the conference, and for communicating display signals from the application program to the participants. In one embodiment, a first program executing on a first computer transmits first computer-generated keystrokes to a second computer, and displays on the first computer images received from the second computer, while a second program co-resident with the application program on the second computer enters received first computer keystrokes into the second computer, and sends second computer-generated images for display to the first computer. In a second embodiment, a program executing on a UNIX.RTM system-based computer

receives keystrokes from connected terminals and sends them to the application program, and receives images from the application program and transmits them to the terminals.

Adams et al. (hereafter "Adams") teaches two computer workstations that are connected together by a communications link. A local workstation includes a window which is used to display a copy of what is currently being displayed on the screen of a remote workstation. That is, each time an update is made to the screen of the remote workstation, it must be transmitted to the local workstation. A bounding rectangle for the area of the screen changed by the update is determined. If the bounding rectangle is greater than a predetermined size, then a first packet is transmitted from the remote workstation to the local workstation, prior to the transmission of the actual update itself. This is to provide quicker feedback to users of the local workstation that update data is on its way. This first packet indicates the bounding rectangle for the updated area of screen. The local workstation responds to the first packet by shading the corresponding region of the window which contains the copy of the remote screen, thereby indicating to a user of the local screen that an update is imminent.

The Cited Art Distinguished

Adams et al. (hereafter "Adams") is not prior art with respect to the present application. The 35 U.S.C. 102(e) date of Adams is June 27, 1996. The present invention claims priority to March 6, 1996. Further, there would not have been a publication of either the Original U.K. patent application or the subsequent PCT application until after the priority date of the present invention. We therefore interpret the Examiner's rejection of the claims under 35 U.S.C. 103 as being over Bartholomew alone.

The present invention allows a client computer provided only with a web browser to control the functionality of a network computer over a TCP/IP protocol network. This is accomplished by downloading to the client computer over the network a client program (e.g. an applet). Bartholomew teaches the control of a remote computer by either another computer or a terminal and, as such, is very similar to the prior art of Timbuktu and Carbon Copy that was cited in Applicant's Background Section. There is
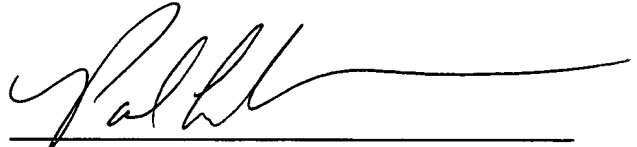
no hint of a web browser or the downloading of applets and, in fact, such technology did not exist at the time of the Bartholomew invention in 1988. Adams, even if it were prior art, does not cure the deficiencies of Bartholomew in that it only teaches a method for dealing with transmission delays between two computers by providing bounding rectangles to represent updates to a visual display.

For at least the forgoing reasons, Applicant respectfully requests that the rejections under 35 U.S.C. 103(a) of claims 1 and 21-31 be withdrawn.

<u>Conclusion</u>

In view of the foregoing, it is clear that the pending claims are patentable over the art of record. A notice of allowance is therefore requested. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (650) 838-4443.

Respectfully submitted,

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